



# INDUSTRY CIRCULAR

## DEPARTMENT OF THE TREASURY

**Bureau of Alcohol, Tobacco and Firearms**  
**Washington, D.C. 20226**

**Number:** 80-15

**Date:** December 24, 1980

### VITICULTURAL AREAS

To proprietors of bonded wine cellars, taxpaid wine bottling houses, and others concerned:

**PURPOSE.** This circular is issued to remind industry members and other interested persons that new regulations concerning the use of appellations of origin and the establishment of American viticultural areas become mandatory on January 1, 1983. ATF also wishes to clarify the informational requirements concerning petitions to establish a viticultural area.

**BACKGROUND.** On August 23, 1978, ATF published Treasury Decision ATF-53 (43 FR 37671, 54624) revising regulations in 27 CFR Part 4. These regulations allow the establishment of definite American viticultural areas and provide for the use of appellations of origin on wine labels and in wine advertisements.

Section 4.25a(a)(1) limits appellations of origin for American wines to--

- (1) The terms "American" or "United States";
- (2) The name of a single State;
- (3) The names of not more than three States which are all contiguous;
- (4) The name of a single county in conjunction with the word "county";
- (5) The names of not more than three counties within the same State; and
- (6) The name of an approved viticultural area.

An approved viticultural area is a delimited grape-growing region distinguishable by geographical features, the boundaries of which have been recognized by ATF and defined in 27 CFR Part 9.

Approaching Mandatory Date. These regulations become mandatory on January 1, 1983. No appellation of origin may appear on wine labels or in wine advertisements after this date unless it meets the requirements in § 4.25a. References such as "this wine is produced from grapes grown in White Valley," will not be allowed unless "White Valley" is an approved viticultural area. Appellations of origin which are currently being used and which refer to grape-growing regions other than the allowed political subdivisions will not be allowed as of January 1, 1983, unless they meet the requirements for a viticultural area and are approved by ATF.

ATF will continue to approve valid viticultural areas after January 1, 1983. However, the approval of a viticultural area is a sensitive, often controversial, and protracted process. Accordingly, in the interest of all parties involved, ATF encourages potential petitioners for the establishment of a viticultural area to file their petitions with ATF as soon as possible.

Viticultural Area Petitions. The processing of a number of viticultural area petitions received by ATF has been slowed because the petitioner failed to submit the proper information needed for ATF to properly evaluate the petition. The informational requirements for viticultural area petitions are listed in 27 CFR 4.25a(e)(2). These requirements must be satisfied before ATF can propose a viticultural area.

In accordance with 27 CFR 4.25a(e)(2), any interested person may petition ATF for the establishment of a viticultural area. Each petition should be in letter form. No ATF forms are necessary. Each petition should be sent to the Director, Bureau of Alcohol, Tobacco and Firearms, Washington, DC 20226. Each petition should include--

- (1) Evidence that the area is known by the proposed name;
- (2) Historical or current evidence that the proposed boundaries of the viticultural area are correct;
- (3) Evidence that the geographical features of the area produce growing conditions which distinguish the proposed area from surrounding areas;

- (4) A narrative description of the boundaries based on features which can be found on a United States Geological Survey map(s) of the largest applicable scale; and
- (5) A copy of the appropriate U.S.G.S. map(s) with the boundaries marked in any prominent color.

A viticultural area should be based on geographical features which distinguish the growing conditions of the area. There is no maximum or minimum size for a viticultural area. However, the entire area should possess a viticultural feature which distinguishes it from surrounding areas.

Finally, the narrative description of the viticultural area boundaries should be as specific as possible.

A viticultural area may extend across political boundaries. Political boundaries, survey lines constructed features (such as roads), contour lines, and any other features which appear on the appropriate U.S.G.S. map(s) may be used as boundaries where they reasonably coincide with the actual geographical or viticultural limits of an area.

While watershed areas or soil associations may be the geographical basis for a viticultural area, the petitioner must arrive at boundaries which reasonably delineate the geographical factors yet are based on features which appear on readily available U.S.G.S. maps. ATF feels that boundaries which correspond with recognizable map features will facilitate enforcement and consumer understanding of viticultural areas.

INQUIRIES. Inquiries concerning this circular should refer to it by number and be addressed to the Assistant Director (Regulatory Enforcement), Bureau of Alcohol, Tobacco and Firearms, Washington, DC 20226. Telephone inquiries may be made to the Research and Regulations Branch at (202) 566-7626.



Director